

**BOARD OF FORESTRY AND FIRE PROTECTION  
PROFESSIONAL FORESTERS REGISTRATION**

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**PROFESSIONAL FORESTERS EXAMINING COMMITTEE****OPEN SESSION MEETING MINUTES**

Meeting held Thursday, June 21, 2007

Resources Building, 1416 9<sup>th</sup> Street, 15<sup>th</sup> floor, LARGE CONFERENCE ROOM, 1506-12  
Sacramento, California

Members Participating: Doug Ferrier, Chairman  
Gerald Jensen  
Ray Flynn  
Otto van Emmerik  
Kim Rodrigues

Members Absent: Michael Stroud  
Tom Osipowich

Staff Participating: Eric Huff, Executive Officer  
Terra Perkins, Office Technician

Public/Agencies Participating: Jim Kral, CLFA  
Chris Browder, CAL FIRE

**Chairman Ferrier called the meeting to order at 0900 hours and requested action on the first agenda item.**

**ITEM #1: APPROVAL OF OPEN SESSION MINUTES OF OCTOBER 25, 2006 AND  
DECEMBER 13, 2006 MEETINGS**

**06-01-07** Member Flynn moved to approve both sets of minutes and Member Jensen seconded the motion. The motion carried unanimously.

**ITEM #2: BOARD OF FORESTRY AND FIRE PROTECTION UPDATE**

Executive Officer Huff provided an update on the Board's new members and noted that a number of regulatory proposals would be heard for possible action at the July meeting in McArthur. Huff also mentioned the Board's recent hearing on the JDSF DEIR and coming hearing on the draft coho salmon regulations for incidental take authorization.

**ITEM #3: PRELIMINARY REVIEW OF DEPARTMENT PLAN RETURNS AND  
CURRENT FILING ISSUES**

Chris Browder of CAL FIRE explained that the PFEC had been provided copies of all the 2006 plan return letters for their review. Browder also noted that the Department had posted a memorandum on the CAL FIRE website entitled, "Assistance to RPFs to Avoid

Plan Returns” and that no comment on the document had been received to date. Member Rodrigues suggested that perhaps the Department could consider sending RPFs with repeat plan returns a hard copy of the document enclosed with the returned plan.

Mr. Browder stated that proofreading of the plan prior to submittal was perhaps the most important thing one could do to avoid returns. There was general agreement that this was of critical importance. Member Flynn noted that many of the errors resulting in plan returns were informational inconsistencies within the plan—inaccurate reporting of Township and Range on maps, and information appearing on one page of the plan only to be followed by contradictory information on a subsequent page.

Jim Kral representing the California Licensed Foresters Association (CLFA) stated that use of the CLFA THP Checklist was still an effective way for RPFs to make certain that the plan included all necessary information to ensure filing.

Member Jensen stated that there were a number of plans returned for issues that really should have been the subject of field review and had nothing to do with the accuracy and completeness of the information within the document. Mr. Browder concurred with this observation. Based upon his review of all of the return letters, Browder stated that there were a number of returns that he did not believe were justified. Browder went on to state that this issue has been the subject of conference calls with plan review staff and that he has emphasized the need for rule-based, complete explanation as to why a plan is being returned. Browder indicated that part of the reason for some of the returns may be related to employee turnover and lack of employee experience in plan review. He noted that a number of previously vacant plan review positions have been recently filled in the Redding review office.

Chairman Ferrier asked Mr. Browder what kind of training program was provided to new employees in plan review and Browder responded that it is ‘on-the-job’ training. Chairman Ferrier noted that the lack of CAL FIRE plan review training was a subject discussed in the PFEC’s last review of plan returns.

Member Flynn asked Mr. Browder what percentage of plans returned in 2006 perhaps should not have been. Browder could not provide a percentage, but did think that there were a number of them. He noted that a number of plans were returned for what appeared to be CEQA scoping questions and he concurred with Chairman Ferrier that those items should have been dealt with in field review. Browder stated that he has been emphasizing with plan review staff that if CAL FIRE is going to return a plan, there should be a CCR section that directly supports the reason for return.

Member Flynn supported Member Rodrigues’ recommendation that the CAL FIRE Memorandum on plan filing be posted to RPFs who repeatedly have plans rejected for filing. Mr. Browder agreed that this was a good idea, but also expressed the opinion that the responsibility for avoiding repeat plan returns belongs to the RPF. The Committee concurred and Member van Emmerik stated that RPFs with repeat filing issues really ought to contact review staff in order to understand what is lacking in plan submissions.

Discussion continued with identification of specific errors that typically result in plan returns. Mr. Browder reiterated that many of the errors could be reduced by proofreading the documents prior to their submittal.

Chairman Ferrier asked Mr. Browder for an update on the revised Timber Harvesting Plan (THP) form. Browder indicated that he would likely get back to working on that in late summer or fall. He went on to say that this would likely also lead to revision of the CLFA Checklist document in conjunction with CLFA.

Executive Officer Huff noted that there was a difference in the formatting of the CAL FIRE plan return letters generated in Santa Rosa versus those from Fresno and Redding. Plan return letters from Fresno and Redding clearly distinguish the reason for the return from requests for further information. Letters from Santa Rosa do not however. Mr. Browder stated that he has advocated for the Santa Rosa office going back to the “above the line, below the line” format in the past, but that he has no authority to direct this change.

Member Rodrigues asked if it would be a good idea for the PFEC to send a letter requesting this change to the Department. The Committee concurred with this suggestion and directed EO Huff to draft a letter and post it to Deputy Director Bill Snyder.

Jim Kral, CLFA offered his perspective that it is very helpful to know exactly what the filing issue is so that one can address it as soon as possible. He also stated that he really appreciates that the review of the plan is completed at the Fresno office even when the plan is going to be returned as not filed. Kral indicated that the Redding office does not typically continue with the review once a reason for return has been identified.

Chairman Ferrier concluded discussion of the topic by asking the Members to continue their review of the materials provided between now and the next meeting. The Committee can then decide on a further course of action at the next meeting.

#### **ITEM #4: STATUS UPDATE ON DEPARTMENT’S DRAFT NTMP GROWTH AND YIELD GUIDELINES DOCUMENT**

Chris Browder, CAL FIRE reported that he had produced a draft document that identifies and responds to 54 specific points raised in the public comments thus far received. This document is currently under internal review.

Mr. Browder stated that the Guidelines document has been revised once and is currently under internal review. Upon conclusion of this internal review, CAL FIRE will likely post the final version without further public review. It is unknown how the final document will be disseminated though there has been some talk of scheduling public information workshops.

Mr. Browder noted that the Board’s Management Committee had requested that the document be brought before the Board for its review and possible endorsement in order to avoid the potential for it to be considered ‘underground regulation.’ Browder went on to state that he believes the draft Guidelines have already been used by the Department in a regulatory capacity. Chairman Ferrier concurred that he was likewise aware of the document’s misuse of the draft document by the Department. Browder offered that the Department may not have effectively communicated with its plan review staff that this document was not intended to be used in a regulatory capacity. Browder is continuing to emphasize that this document is not to be treated like a regulatory requirement.

Jim Kral asked Mr. Browder when he thought the final draft would be circulated and Browder responded that he thought it would be ready for circulation within a couple of months.

Member Rodrigues asked for clarification as to what the PFEC's role is with regard to review of this document. Chairman Ferrier and EO Huff provided a review of why the matter came to the PFEC and how it may impact plan filing issues into the future. Huff then indicated that the Board's Management Committee would be dealing with the document from this point forward and that there was effectively no further need for PFEC involvement. Discussion of the topic concluded there.

#### **ITEM #5: DISCUSSION REGARDING USE OF THE BOARD'S CONFERENCE CALL LINE TO FACILITATE REMOTE MEETING PARTICIPATION WHEN MEMBER ATTENDANCE ON SITE IS NOT POSSIBLE**

Chairman Ferrier introduced the topic and EO Huff explained the provisions of Bagley-Keene related to public participation in conference calls. The Chairman then solicited the Committee Members' perspectives on the use of the line. The Membership concurred that the line should be used as necessary to facilitate specific meetings, but not as a means of routine meeting participation.

Jim Kral related his concerns about the security of the conference line and offered his belief that people wishing to address the PFEC should attend the meeting in person. The Committee concurred with Kral's observation that it is always best to speak with the public in person. Discussion of the topic concluded there.

#### **NEW AND UNFINISHED BUSINESS**

Chairman Ferrier brought forward the need to appoint a vice-chair of the PFEC and his intent to agendize the item for the next meeting.

EO Huff introduced the topic of the Sacramento Tree Foundation's proposed "Master Citizen Forester" program. Member Rodrigues indicated that she would follow-up on the item. Member Rodrigues also indicated she would provide an update on the pilot program for "Master Naturalists."

EO Huff provided an update on the Range Management Advisory Committee's RMAC's work on a policy statement specific to the CRM Program.

EO Huff introduced the idea of a "Retired RPF" status designation and asked if it could be agendized for the next meeting. The Committee concurred with further discussion at the next meeting.

The next meeting is scheduled for August 30, 2007.

#### **ADJOURNMENT**

**06-02-07** Member van Emmerik moved to adjourn the Open Session and Member Jensen seconded the motion. The motion carried unanimously.